

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

EDWARD ARTHUR,	*	CIVIL ACTION
	*	
Plaintiff,	*	NO. 02-2931
	*	
vs.	*	
	*	
THE UNITED STATES OF	*	The Honorable
AMERICA,	*	Harvey Bartle, III
	*	
	*	
Defendant	*	
* * * * *		

**THE UNITED STATES OF AMERICA'S  
12(B)(6) MOTION TO DISMISS**

DEFENDANT, The United States of America (the "United States"), for the reasons stated in the attached Memorandum of Law, moves for partial dismissal of the claims of Edward Arthur pursuant to Fed. R. Civ. Pro. 12(b)(6) for failure to state a cause of action upon which this Court may grant relief.

WHEREFORE, the United States, respectfully requests this Honorable Court enter the attached proposed Order.

Respectfully submitted,

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Of Counsel to the United States of America

Dated: July 15, 2003



IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

EDWARD ARTHUR,

Plaintiff,

vs.

THE UNITED STATES OF  
AMERICA,

Defendant

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CIVIL ACTION

NO. 02-2931

The Honorable  
Harvey Bartle, III

**ORDER**

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 2003, upon consideration of the United States Motion to Dismiss the First Amended Complaint and any opposition thereto, it is hereby Ordered and Decreed that said Motion is GRANTED. Plaintiff's First Amended Complaint against the United States is dismissed with Prejudice.

BY THE COURT:

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The Honorable Harvey Bartle, III